

the Commissioner of Agriculture, food may be transferred from one cold storage warehouse or refrigerating plant to another; provided, however, that the total length of time such food shall remain in such cold storage for the purpose of sale, shall not exceed the time specified in Section 8 of this Act.

**Sec. 13. Making rules and regulations.**—*The Commissioner shall have power and it shall be his duty from time to time to make and publish uniform rules and regulations, not inconsistent with law, to carry out and enforce the provisions of this act, which rules and regulations shall be filed in the office of the Commissioner, and published twice in a legal newspaper of general circulation published at the capital of the state, and from and after the tenth day succeeding the date of the last such publication, such rules and regulations shall have the force and effect of law. An affidavit of such publication shall be kept on file in the office of the Commissioner. A copy of such rules and regulations, certified by the Commissioner, shall be prima facie evidence of the facts therein contained and of the due making and publication of such rules and regulations.*

**Sec. 14. Penalties.**—Any person, firm or corporation violating any provision of this Act as relating to cold storage warehousing, shall be guilty of a gross misdemeanor and shall upon conviction be punished for the first offense by a fine of not to exceed five hundred dollars (\$500.00) or by imprisonment in the jail of the proper county for a period of not more than three months, or by both such fine and imprisonment, and for the second or subsequent offense, by a fine not to exceed one thousand (\$1000.00) dollars or by imprisonment in the jail of the proper county for a period not to exceed one year, or by both such fine and imprisonment.

**Sec. 15. Fees and fines, disposition of.**—All license fees and fines accruing through the enforcement of the provisions of this act shall be paid into the State Treasury and credited to the State Revenue Fund.

**Sec. 16. Conflicting acts repealed.**—Chapter 57, Special Session Laws of 1919 and all acts and parts of acts inconsistent with this Act are hereby repealed.

**Section 17.** This act shall take effect and be in force from and after its passage.

Approved April 12, 1923.

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#### CHAPTER 234—H. F. No. 1002.

*An act to amend Chapter 239, Laws 1919, being an act to provide under certain conditions for the separation from cities containing 10,000 inhabitants, or less, and from school districts contained in*

*such cities, of unplatted agricultural lands included within the corporate limits of such cities and school districts, and attaching the same to an adjoining township and school district in the same county, and defining the duties of the county commissions of such counties in certain cases.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Setting off of agricultural lands in certain cities and school districts.—That Chapter 239, Laws of Minnesota for 1919, be and the same is hereby amended to read as follows:

“Sec. 1. The owners of ninety per cent or more of any contiguous, unplatted tract or tracts of land containing not less than 400 acres, included within the corporate limits of any city of this state containing 10,000 inhabitants or less, *and included within the limits of any special or independent school district included within the corporate limits of such city*, and used and occupied exclusively for agricultural purposes, may petition the district court of the county in which such land is situated for a decree detaching such land from such city and from such school district in all cases where the state of Minnesota owns and occupies a farm of not less than 400 acres in connection with any of its asylums or state institutions, which said farm lies between the platted and settled portion of such city and the land proposed to be detached, and where the *usual* route of travel between such land proposed to be detached and platted and the settled portion of such city is over and across such farm so owned by said state of Minnesota.

Sec. 2. Form of petition.—Said petition shall, among other things, designate by name and number the city and school district from which such land is proposed to be detached and the township and school district to which such land *may* be attached; it shall describe such land proposed to be detached and give the names of the owners thereof, if known; it shall also describe the land, owned by the State of Minnesota, lying between the platted and settled portion of such city and the land proposed to be detached therefrom.

Sec. 3. Hearing by court.—Upon the filing of such petition, the court shall fix a time for the hearing thereof, which shall be not less than thirty days from the date of the filing of such petition; and the petitioners shall serve, or cause to be served a notice of such hearing, upon the mayor or city clerk of such city and upon the president or clerk of such school district from which such land is proposed to be detached, at least twenty days before the time fixed for such hearing.

Sec. 4. Decree of court and filing.—If, upon the hearing, the court shall find that such land proposed to be detached is of the nature, quality and quantity as hereinbefore set forth and is situated as hereinbefore described and that it may be detached from such city and school district without unreasonably affecting the symmetry of the settled portion of such city and school district it may grant

such decree and such lands shall thereupon become detached from such city and from such school district for all purposes and as effectively as if it had never been a part thereof.

Sec. 5. Detached territory to be attached to other municipality or school district.—*Where there is no organized town or township government in the town from which said lands were detached exclusive of the city government of such city, it shall be the duty of the Board of County Commissioners of the county in which said land is situated to attach any part or all of said land so detached from such city and school district by the decree of the court made under the provisions of this Act, to any town or townships, school district or school districts adjoining said land and within the said county and thereafter said land shall, in all things, be subject to the government of the township or school district to which it is so attached.*

Sec. 6. This Act shall take effect and be in force from and after its passage.

Approved April 12, 1923.

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#### CHAPTER 235—S. F. No. 770.

*An act to protect and preserve the public health by preventing the use of opium or cocoa leaves or any compound, manufacture, salt, derivative or preparation thereof and by providing for compulsory treatment of habitual users thereof.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Compulsory treatment for habitual users of narcotics.—That whenever an affidavit duly verified by a person claiming to have knowledge of the facts and setting forth that with resulting injury to his health any person named or described therein is a habitual user otherwise than under the direction of a duly licensed and practicing physician, of opium, or cocoa leaves or any compound, manufacture, salt, derivative or preparation thereof, shall be filed with the county attorney of any county in which such alleged habitual user is or may be found, such county attorney under his hand shall issue a notice requiring the person so named or described to appear before a judge of the district court of the county in chambers at a time and place specified in such notice, and shall cause a copy thereof to be served by the sheriff upon the person so named or described not less than two days before the dates specified for such appearance. The affidavit and the original notice with proof of service shall be filed with the clerk of court at or before the time specified for such appearance, but the same and the other records and files of the proceeding shall be open for inspection only by the person named or described therein or his counsel, and by public officers.